

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CHUCK BOOMS,)	CASE NO. 1:23-cv-02099
)	
)	JUDGE J. PHILIP CALABRESE
Plaintiff,)	
)	MEMORANDUM IN SUPPORT OF
vs.)	PLAINTIFF’S MOTION TO EXTEND
)	THE TIME TO RESPOND IN TO
)	A MOTION FOR SUMMARY
GRAY LOCAL MEDIA GROUP, INC.)	JUDGMENT FILED BY DEFENDANT
<i>et al.</i> ,)	GRAY LOCAL MEDIA, INC.
)	
)	
Defendants.)	

On November 6, 2024, Defendant Gray Local Media Group, Inc. (“Gray”) filed a Motion for Summary Judgment (Doc #37). Under Loc. R. 7.1(d), Plaintiff Chuck Booms’ Opposition to this dispositive motion is due on December 6, 2024. After the addition of new Defendants, the Court has recently scheduled a case management conference for December 4, 2024 – including setting the parameters and deadlines for discovery (Doc # 34).

In order to respond in opposition, Plaintiff will need to take at least one or more depositions on the issues raised in Defendant’s dispositive motion, and he will need time beyond December 6th to engage in such depositions to obtain the needed evidence to oppose the Motion. Plaintiff had not planned to engage in such discovery prior to the December 4th case management conference, and after the filing of Gray’s Motion counsel for Plaintiff had also been notified that he has been called for jury duty service for the Court of Common Pleas for Cuyahoga County to

commence on November 22, 2024.

These reasons will prevent Plaintiff's ability to engage in the discovery depositions needed by the current due date for his Opposition. Thus, under Fed. R. Civ. P. 6(b) before the expiration of the due date, and under Fed. R. Civ. P. 56(d) due to the need for such discovery – Plaintiff requests an Order from the Court to extend the date for him to respond or delay consideration this dispositive motion. The purpose of this Motion is to place the Court on notice of this need prior the scheduled case management conference, and so that Plaintiff's need for this additional time is on the record. Plaintiff requests a date that can be determined in the December 4th case management conference. Plaintiff's counsel represents that he will work with counsel for Defendant to determine the identity of the individuals who need to be deposed and their availability – which can be communicated to the Court in the December 4th conference.

For the reasons set forth above, and in the interests of Justice – Plaintiff's Motion should be granted or taken under advisement so that a Ordered due date for Plaintiff's response in Opposition to Gray's Motion for Summary Judgment may be determined at the case management conference scheduled on December 4, 2024.

Respectfully submitted,

/s/ David Glenn Phillips

DAVID GLENN PHILLIPS (0046827)

The Brown Hoist Building

4403 St. Clair Avenue

Cleveland, Ohio 44103

(216) 531-0123

email: d.g.phillips@davidglennphillips.com

Attorney for Plaintiff